

University of Illinois
Urbana-Champaign Senate

Committee on Academic Freedom and Tenure
(Final; Information)

AF.13.01. 2012-2013 Annual Report

The Senate Bylaws provide for a standing Committee on Academic Freedom and Tenure (CAFT). The CAFT's duties under the University Statutes and Senate Bylaws include: (1) conducting hearings in dismissal proceedings under Article X, section 1(e) of the University Statutes; (2) investigating alleged violations of academic freedom under Article X, section 2 of the University Statutes; and (3) investigating alleged violations of the role of faculty in governance as specified in the University Statutes and unit bylaws.

Like other standing committees, the CAFT is required by the Senate Bylaws to submit "a written report of its activities and unfinished business to the Senate at the last regular meeting of the year." What follows is a summary of matters that came before the CAFT during this academic year.

On January 9, 2013, a hearing committee composed of carry-over members of the 2011-2012 CAFT (Matthew Finkin, Elizabeth Delacruz, Soo-Yeun Lee, and John Wagstaff) issued its final hearing report in a case arising under Article X, section 1(e) of the University Statutes. This section of the statutes governs cases where the President seeks dismissal of a tenured professor. After conducting a hearing on the President's charges against the professor, the hearing committee concluded unanimously that the conduct that provided the basis for the President's charges did not rise to the level of dismissible conduct. The hearing committee also was unanimous in recommending that the professor's continued employment be conditioned on compliance with two specific committee directives.

On the question of sanctions for the professor's past conduct, the members of the hearing committee were divided. Three members of the hearing committee recommended that the professor receive no further sanction, i.e., no sanction in addition to the de facto suspension he had suffered during the pendency of the dismissal proceeding. A fourth member of the hearing committee recommended that the professor receive two additional sanctions, including suspension for an

additional semester without pay. The committee forwarded its final report to the President, as provided in Article X, section 1(e)(6) of the University Statutes.

On January 24, 2013, the professor who was the subject of the dismissal proceeding sent a letter to the CAFT asking the CAFT to address on an emergency basis a procedural question that had arisen in connection with the President's consideration of the hearing committee's report. The CAFT concluded that the procedural concerns raised by the professor should be addressed to the President's office, not to the CAFT. The CAFT communicated this decision to the professor's attorney by email on January 29, 2013.

Also among the matters carried over from the previous academic year was a grievance originally filed by a faculty member on November 6, 2011 under Article X, section 2 of the University Statutes. This section provides that "[a] staff member who believes that he or she does not enjoy the academic freedom which it is the policy of the University to maintain and encourage shall be entitled to a hearing on written request before the [CAFT]." After reaching a negotiated settlement with the University administration, the grievant withdrew the complaint in a February 15, 2013 email to the members of the CAFT.

During the current academic year, the CAFT received three new grievances under Article X, section 2 of the University statutes. The first of these grievances, which was filed on January 11, 2013, is currently under investigation. The second of these grievances, which was filed on March 7, 2013, was declined for filing on the ground that it was beyond the CAFT's jurisdiction. The third of these grievances, which was filed on April 7, 2013, is currently pending.